



THOMAS L. GARTHWAITE, M.D. Director and Chief Medical Officer

FRED LEAF
Chief Operating Officer

COUNTY OF LOS ANGELES DEPARTMENT OF HEALTH SERVICES 313 N. Figueroa, Los Angeles, CA 90012 (213) 240-8101

July 29, 2004

The Honorable Board of Supervisors County of Los Angeles 383 Kenneth Hahn Hall of Administration 500 West Temple Street Los Angeles, California 90012

Dear Supervisors:

PUBLIC HEALTH FEES AND AMENDMENTS TO LOS ANGELES COUNTY CODE TITLE 8 AND TITLE 20

(All Districts) (3 Votes)

IT IS RECOMMENDED THAT FOLLOWING THE PUBLIC HEARING YOUR BOARD ADOPT AN ORDINANCE AMENDING THE LOS ANGELES COUNTY CODE, TITLES 8 AND 20 WHICH:

- 1. Increases most public health license and permit fees, including those for multiple dwelling units, by five percent; effective 30 days after passage of this ordinance;
- 2. Additionally increases the public health license fee for multiple dwelling units (excluding condominiums) to allow DHS Environmental Health to recover \$1.92 million in costs for augmentations to the Housing Inspection program; effective 30 days after passage of this ordinance; and
- Adds additional tiers to the DHS license fee structure for multiple dwelling units (excluding condominiums), effective thirty days after passage of this ordinance.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

DHS Environmental Health is a regulatory agency that performs mandated services related to food, housing, water, liquid and solid waste, and vectors. State and local health and safety codes provide for the authority to carry out regulatory activities that promote a safe and healthy environment, which are offset by the collection of license/permit and other service fees.

Under recommendation number 1, the Board is amending Los Angeles County Code Title 8 and Title 20 to increase public health license and permit fees by five percent to recover costs for services provided by DHS Environmental Health. These costs include the continued increase in rents for Environmental Health offices, due to relocations from County facilities to privately leased space and a 2.5% salary increase effective January 2005. The five percent increase shall also apply to multiple dwelling unit permit fees.

Gloria Molina First District

Yvonne Brathwaite Burke Second District

> Zev Yaroslavsky Third District

Don Knabe Fourth District

Michael D. Antonovich Fifth District The Honorable Board of Supervisors July 29, 2004 Page 2

Under recommendation number 2, the Board will enable DHS to fully offset its cost for twenty-eight additional positions and equipment for its housing inspection program. The cost for this augmentation will be proportioned to multiple dwelling unit permit fees, excluding condominium permit fees, prior to the addition of the five percent increase allowed for under recommendation number 1.

Under recommendation number 3, the tiers in the fee schedule shall be increased from three to five, to allow for a more equitable distribution of the cost among these permits and any future permit fee increases.

Implementation of Strategic Plan Goals

The fee increase is to improve the quality of public health services while securing cost-based reimbursement for services.

FISCAL IMPACT/FINANCING

The Department is proposing a fee increase which will not sufficiently cover all projected Fiscal Year (FY) 2004-05 operating costs of \$62.02 million. This would require a fee increase in excess of nine percent. A \$2.38 million excess in expenditures over revenues is estimated for FY 2004-05. In order to address the projected budget shortfall for Fiscal Year (FY) 2004-05, DHS Environmental Health has developed a plan to keep expenditures consistent with the revenues generated.

DHS Environmental Health's projected adjusted operating cost for FY 2004-05 is \$59.64 million including the cost for the augmentation to the housing inspection program of \$1.92 million. Estimated revenues for FY 2004-05 are \$54.97 million without any fee increase. An approved five percent increase in all public health license and permit fees will generate \$2.75 million in revenue and, if approved, this cost for the housing program augmentation will be recovered through the fees for multiple dwelling unit permits (excludes condominiums) increasing FY 2004-05 total revenues to \$59.64 million.

Provisions within the Los Angeles County Code limit all fees to cost recovery only. Further, fee increases will be applied only to public health license and permit fees.

Funding is included in the FY 2004-05 Adopted Budget. There is no additional net County costassociated with these actions.

FACTS AND PROVISIONAL/LEGAL REQUIREMENTS

Pursuant to Government Code, Section 66108, a local agency must hold a public hearing as part of a regularly scheduled meeting of the Board of Supervisors before adopting an ordinance, resolution, or other legislative enactment adopting a new fee, and shall publish notice of the public hearing in a newspaper in accordance with Government Code, Section 6062a. In addition, notice of the public hearing shall be published in a newspaper in accordance with Government Code, Section 6062a. The public health fees for Non-Diagnostic Laboratories, in Title 8 of the Los Angeles County Code, remain unchanged since those fees are established by statute.

On September 2, 2003, following a public hearing, the Board approved fee increases for regulatory and inspection activities, and ordinance amendments to the Los Angeles County Code, Title 8 and Title 20, for FY 2003-04.

CONTRACTING PROCESS

It is not appropriate to advertise the recommended Los Angeles County Code Title 8 and Title 20 public health license and permit fees on the Office of Small Business Countywide Web Site, as a business opportunity.

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IMPACT ON CURRENT SERVICES (OR PROJECTS)

The plan developed to eliminate the projected budget shortfall for FY 2004-05 will effect the inspection frequency and response capability of Environmental Health. With the exception of the DHS housing inspection program, the anticipated impact of the shortfall will be somewhat lower inspection frequencies; somewhat increased response time; somewhat longer approval periods for plan check, but still within mandated requirements; and fewer sweeps or investigations of unlicensed activities related to food vendors, garment manufacturers and illegal dumpsites. Generally, the DHS expects program adjustments while maintaining basic services at reduced levels.

The augmentation to the DHS housing inspection program, referred to in Recommendation number 1, consists of 29 additional positions (20 inspector positions and nine support staff) and equipment. The inspector positions will enable DHS to complete an additional 5,200 inspections per year and increase the percentage of tenant units accessed from ten to fifteen percent. Cell phones have been issued to housing inspectors to have their supervisors readily communicate any urgent complaints while inspectors are in the field. Digital cameras have also been issued to housing inspectors to obtain graphic evidence of violations. With these augmentations to the DHS housing inspection program, service will be enhanced.

Negative Declaration/Environmental Impact Reports

Not applicable.

Conclusion

It is requested that the Executive Officer, Board of Supervisors return the adopted ordinances and stamped letter with four certified copies to the Director of Environmental Health, at 5050 Commerce Drive, Bardwin Park, California 97706.

Respectfully submitted,

Thomas I. Garthwaite, M.D. Director and Chief Medical Officer

TLC:dc

Attachments

c: Chief Administrative Officer County Counse

Executive Officer, Board of Supervisors

BLETFEEBOARDPKG

ANALYSIS

This ordinance amends Title 8 - Consumer Protection and Business Regulations, and Title 20 - Utilities, of the Los Angeles County Code relating to fees and fee schedules for inspections conducted by the Department of Health Services by:

- Increasing many of the inspection fees found in Title 8;
- Increasing many of the inspection fees found in Section 20.64.110,
 Permit and regulatory service fees; and
- Establishing additional tiers to the license fee structure for multiple dwelling units (excluding condominiums).

OFFICE OF THE COUNTY COUNSEL

CHRISTINA A. SALSEDA
Deputy County Counsel
Public Services Division

CAS:ja.

07/27/04 (requested) 07/28/04 (revised)

ORDINANCE	NO.	

An ordinance amending Title 8 - Consumer Protection and Business Regulations and Title 20 - Utilities of the Los Angeles County Code, relating to fees and fee schedules for inspections conducted by the Department of Health Services.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 8.04.720 is hereby amended to read as follows:

8.04.720 Fee schedule.

Animal keeper:

Category I	\$ 214.00 <u>225.00</u>
Category II	266.00 279.00
Category III	322.00 <u>338.00</u>
Boarding home:	
5 to 15 persons	194.00 204.00
16 or more persons	300.00 <u>315.00</u>
Body art:	
Body art establishment	110.00 <u>116.00</u>
Body art technician independent operator	110.00 <u>116.00</u>

Certified farmers' markets:

Number of certified producers:	
1 to 20	274.00 288.00
21 to 35	4 69.00 493.00
36 or more	782.00 821.00
Children' s camp	329.00 <u>345.00</u>
Commercial laundry:	
Less than 4,000 square feet	140.00 <u>147.00</u>
More than 4,000 square feet	307.00 <u>322.00</u>
Day care center:	
7 to 15 children cared for	229.00 240.00
16 or more children	310.00 <u>325.00</u>
Fertilizer manufacturer	588.00 <u>617.00</u>
Food demonstrator	132.00 <u>139.00</u>
Reinspection	44.00 <u>46.00</u>

Food market, retail:

More than 10, but less than	
51 square feet	196.00 206.00
51 square feet, but less than	
2,000 square feet	4 65.00 488.00
2,000 square feet, but less than	
6,000 square feet	595.00 <u>625.00</u>
6,000 square feet or more	876.00 919.00
Reinspection all sizes	88.00 93.00
Food market, wholesale	4 65.00 488.00
Reinspection	179.00 187.00
Food processing establishment:	
Less than 2,000 square feet of food preparation rooms	792.00 <u>831.00</u>
2,000 to 5,999 square feet of food preparation rooms	1,368.00 1 <u>,437.00</u>
6,000 square feet or more of food preparation rooms	2,060.00 <u>2,163.00</u>
Reinspection all sizes	225.00 263.00
Food salvager	1,454.00 <u>1,527.00</u>
Reinspection	319.00 <u>335.00</u>

Food vehicle:

a. Independent wholesale:	
For each vehicle	82.00 <u>86.00</u>
Reinspection	4 6.00 49.00
b. Retail:	
For each vehicle	250.00 262.00
Reinspection	83.00 <u>87.00</u>
c. Dairy:	
For each vehicle	82.00 <u>86.00</u>
Reinspection	4 6.00 49.00
d. Limited	44 6.00 469.00
Reinspection	148.00 <u>155.00</u>
e. Unpackaged food vehicles which sell or dispense nuts,	
produce, pretzels and similar bakery products, or candy	318.00 <u>334.00</u>
Reinspection	106.00 111.00

f. Unpackaged food vehicles which sell or dispense popcorn,	
snow cones, hot dogs, or whole fish	44 6.00 469.00
Reinspection	148.00 <u>155.00</u>
g. Prepackaged	253.00 266.00
Reinspection	84.00 <u>88.00</u>
Food vehicle commissary:	
0 to 10 vehicles	408.00429.00
11 to 60 vehicles	747.00 <u>784.00</u>
61 vehicles and above, plus trucks	1,230.00 1,291.00
Reinspection of all sizes	137.00 143.00
Food vehicle storage facility	278.00 292.00
Reinspection	34.00 <u>35.00</u>
Food vehicle cleaning and storage facility	308.00 <u>323.00</u>
Reinspection	79.00 83.00
Food warehouse	4 08.00 429.00
Reinspection	147.00 <u>154.00</u>

Fruit and vegetable market, wholesale	4 65.00 488.00
Reinspection	179.00 <u>187.00</u>
Garment manufacturing establishment:	
Less than 1,000 square feet	327.00 343.00
1,001 to 4,999 square feet	4 <u>26.00448.00</u>
. 5,000 to 9,999 square feet	512.00 <u>538.00</u>
10,000 to 19,999 square feet	612.00 <u>643.00</u>
More than 20,000 square feet	734.00 771.00
Hotel without swimming pool:	
6 to 10 rooms	294.00 309.00
11 to 50 rooms	4 59.00 482.00
51 rooms and over	1,236.00 1,298.00
Hotel with swimming pool:	
6 to 10 rooms	545.00 <u>572.00</u>
11 to 50 rooms	711.00 746.00
51 rooms and over	1,489.00 <u>1,563.00</u>

Laundry (self-service): Less than 4,000 square feet of work rooms..... 140.00147.00 4,000 square feet or more of work rooms..... 307.00322.00 Milk warehouse..... 138.00144.00 Mobile food-preparation unit..... 583.00612.00 194.00204.00 Reinspection..... Multiple-dwelling units without swimming pool: Apartments -- 5 to 20 units..... 156.00 Apartments -- 21 to 50 units..... 234.00 Apartments - 51 or more units..... 306.00 Apartments 5 to 10 units 178.00 268.00 Apartments 11 to 20 units 326.00 Apartments 21 to 50 units Apartments 51 to 100 units 394.00 412.00 Apartments 101 + units Condominiums -- 5 to 20 units..... 78.0082.00 Condominiums -- 21 to 50 units..... 117.00122.00 153.00161.00

Condominiums -- 51 or more units.....

Multiple-dwelling units with swimming pool:

Apartments - 5 to 20 units	406.00
Apartments – 21 to 50 units	484.00
Apartments 51 or more units	555.00
Apartments 5 to 10 units	333.00
Apartments 11 to 20 units	<u>427.00</u>
Apartments 21 to 50 units	<u>497.00</u>
Apartments 51 to 100 units	<u>583.00</u>
Apartments 101 + units	603.00
Condominiums 5 to 20 units	203.00 213.00
Condominiums 21 to 50 units	242.00 254.00
Condominiums 51 or more units	278.00 292.00
Personal hawker	132.00 <u>139.00</u>
Reinspection	44.00 <u>46.00</u>
Pet food store	196.00 206.00
Reinspection	90.00 <u>95.00</u>
Picnic service operator	519.00 <u>545.00</u>
Private boarding school	4 07.00 428.00

Processor-owned milk-delivery vehicle:	
For each vehicle	57.00 <u>60.00</u>
Public water system:	
a. State small water systems	925.00 971. <u>00</u>
·	<u> </u>
b.Community water systems:	
200 to 1,000 services or users	1,366.00 <u>1,434.00</u>
1,001 to 5,000 services or users	1,628.00 1,709.00
5,001 or more services or users	2,105.00 2,211.00
Restaurant:	
For seating capacity of:	
Under 11	4 65.00 488.00
11 to 30	592.00 <u>622.00</u>
31 to 60	685.00 719.00
61 to 100	768.00 <u>806.00</u>
101 to 150	973.00 1,022.00
151 to 200	989.00 1,039.00
201 to 400	1,085.00 <u>1,139.00</u>
401 or over	1,231.00 <u>1,292.00</u>
Reinspection: 1 to 100 seats	91.00 96.00
Reinspection: 101 or more seats	89.00 <u>94.00</u>

(In computing drive-in restaurant seating capacity, each customer parking space shall be calculated as equivalent to a seating capacity of two. Notwithstanding any of the foregoing, when the restaurant is a snack bar or refreshment stand on the premises of a walk-in or drive-in theater, as set forth in Section 8.04.400 of this chapter, the fee shall be equivalent to that imposed on a restaurant of less than 11 seats.)

Septic tank, cesspool, chemical toilet or sewage seepage pit:	
For each cleaning vehicle	189.00 <u>198.00</u>
Swap meet prepackaged food stand	132.00 139.00
Reinspection	44 <u>.0046.00</u>
Swimming pool or public swimming area	250.00 <u>262.00</u>
Theater (including drive-in)	171.00 180.00
Toilet rental agency	384.00 <u>404.00</u>
Tourist court without swimming pool:	
6 to 10 rooms	294.00 <u>309.00</u>
11 to 50 rooms	4 5 9.00 <u>4</u> 82.00
51 or more rooms	1.236.00 1,298.00

Tourist court with swimming pool:

6 to 10 rooms	545.00 <u>572.00</u>
11 to 50 rooms	711.00 <u>746.00</u>
51 or more rooms	1,489.00 <u>1,563.00</u>
Vending machines	51.00 <u>54.00</u>
Reinspection	24.00 <u>25.00</u>
Wiping rag business	140.00 147.00

SECTION 2. Section 8.04.725 is hereby amended to read as follows:

8.04.725 Plan check and site inspection fees.

The plan check and site inspection fees required to be paid at the time of submitting plans are as follows:

Business Classification	Plan Check and Site Inspection Fees
Body art establishment	226.00 237.00
Mobile body art establishment	226.00 237.00
Cross-Connection	1,132.00 1,188.00
Food facility remodel, 300 square feet or less	230.00 241.00
Food market, wholesale and retail:	
10 to 50 square feet	266.00 279.00
51 to 1,999 square feet	4 05.00 426.00
2,000 to 5,999 square feet	536.00 <u>562.00</u>
6,000 or more square feet	671.00 704.00

Food processing e	stablishment:
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1 to 1,999 square feet	4 21.00 442.00
2,000 to 5,999 square feet	671.00 <u>704.00</u>
6,000 or more square feet	983.00 <u>1,032.00</u>
Food salvager	<u>390.00409.00</u>
Food vehicle, retail	286.00 300.00
Food vehicle commissary	307.00 <u>322.00</u>
Food vehicle storage facility	147.00 <u>154.00</u>
Food vehicle cleaning and storage facility	147.00 <u>154.00</u>
Food warehouse	307.00 <u>322.00</u>
Laundry facility	100.00 <u>105.00</u>
Radiation health:	
Dental	243.00 <u>255.00</u>
Other	4 80.00 <u>504.00</u>

Restaurant:

0 to 60 seats 635.00<u>667.00</u>

61 to 200 seats 952.001,000.00

201 or more seats 1,017.001,068.00

Swimming pool, public

678.00712.00

SECTION 3. Section 8.04.728 is hereby amended to read as follows:

8.04.728 Service charges -- Basis -- Payment.

- A. Whenever another government jurisdiction requires a person to secure an inspection, evaluation, report or approval by the county health officer, necessitating the county health officer to provide a service, such person shall pay a fee to offset the costs incurred by the county health officer as set forth in this section.
- B. Any person who voluntarily seeks to secure, from the county health officer, an inspection, evaluation, report, approval, or other service related to a business not listed in Section 8.04.720 shall pay a fee to offset the costs incurred by the county health officer as set forth in this section.

C. Requests for special services described in subsections A and B of this section shall be made on forms provided for that person by the county health officer. Services provided by the county health officer for businesses that are not listed in Section 8.04.720 and that are not detailed in the following schedule shall be charged at the rate of \$50.50 per hour. All applicable fees, as provided in this chapter, shall be paid at the time of application.

D. The following is the schedule of fees for services provided by the county health officer. Failure to pay said fees constitutes a violation of this section and may be prosecuted as such.

Backflow prevention assembly (each):

\$ 15.00

Backflow prevention device tester:

Biennial certification examination tester fee 249.00261.00

Listing of certified backflow prevention device testers 201.00211.00

Body art technician:

Triennial certificate of registration 26.0028.00

Entomology:

Specimen identification 16.0017.00

Massage parlor:

Massage parlor inspection 209.00219.00

Massage technician exam 133.00140.00

Mountain cabin site:

Health officer inspection

(per United States Forest Service requirements)

Functional hourly rate

Nondiagnostic laboratories:

Annual fee 139.00

Additional fee site 45.00

Additional diagnostic test fee 133.00

Owner initiated inspection 203.00213.00

Private sewage disposal system:

Health officer inspection (per VA/FHA requirements) 307.00322.00

Health officer permit (per Title 28, Los Angeles

County Code, Ordinance 2269, Section 1109):

New system 659.00692.00

Existing system 605.00635.00

Site transfer/site address change 44.0046.00

Soft serve high count resample

83.0087.00

Swimming pool service exam and certification:

Swimming pool service technician exam

139.00146.00

Swimming pool service apprentice certification

26.0028.00

Temporary events (a separate permit and fee is required per event):

Carnival 352.00369.00

Carnival concession stand 139.00146.00

Unlicensed activities:

One hour or less 50.00

More than one hour but less than three hours 125.00

Three or more hours 250.00

Water treatment systems:

Evaluation investigation fee 468.00176.00

Wells:

Application for permit; well drilling and destroying or conversion of existing well (per requirement of Los Angeles County Code Sections 11.38.150, 11.38.160, and 11.38.260)

274.00288.00

Well monitoring

168.00176.00

SECTION 4. Section 20.64.110 is hereby amended to read as follows:

20.64.110 Permit and regulatory service fees.

Every solid waste facility operator, waste collector or small volume transfer station must pay the following fees to the enforcement agency:

A. Waste collector:

1. Permit application fee

No fee

2. Regulatory service fees:

a. Each business

\$844.00886.00

b. Each waste collection vehicle

56.00<u>58.00</u>

The above fees are to be paid annually.

B. Solid waste facility:

1. Permit application fees:

a. New application 837.00879.00

b. Application to revise or modify existing

permit 837.00879.00

- 2. Regulatory services fees:
 - a. Disposal site or facility:

i.	Where specific tonnages of waste are	0.18 per ton
	measured	•

- ii. Where weight of waste is not measured in tonnage .016 per cubic yard
- b. Transfer/processing station:

i.	Where specific tonnages of waste are	0.18 per ton
	measured	•

ii. Where weight of waste is not measured in 0.016 per cubic yard tonnage

The above regulatory fees are to be paid monthly.

- c. Small volume transfer station:
 - i. Permit application fees:

(A)	New applications	837.00 <u>879.00</u>

(B) Application to revise or modify existing 837.00879.00 permit

ii. Regulatory services fee 1,261.001,324.00

The above regulatory services fee is to be paid annually.

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